THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18793 of 2006

13.9.2006

Between:

Puligilla Yadagiri, S/o.late Balaiah

… Petitioner

AND

The Superintending Engineer, A.P.Transco, Ranga Reddy District
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18793 of 2006

ORDER:

The petitioner is resident of Ankusapur Village of Ghatkesar Mandal in Ranga Reddy District. He alleges that the land admeasuring Acs.3.00 in survey No.192 of the said Village was assigned to his father sometime in 1978 and that his father also obtained pattadar passbook from the third respondent. After death of the father in September 2005, the petitioner came into possession of the property. It is his case that in July 2006, fourth respondent entered upon the land admeasuring Acs.1.00 in survey No.192 belonging to the petitioner and tried to fence the same for the construction of a substation for Andhra Pradesh Central Power Distribution Company Limited (APCPDCL). He also alleges that the fourth respondent informed him that the land, which was handed over to APCPDCL for construction of substation. Therefore, he filed the present writ petition seeking a declaration that the action of the first respondent in trying to dispossess the petitioner as illegal and arbitrary.

At the stage of preliminary hearing itself, learned Assistant Government Pleader on instructions submits that the land admeasuring Acs.11.20 guntas in survey No.192 is classified as Government poramboke land and that the petitioner is never in possession of the same. He further submits that an extent of Acs.1.00 was allotted to APCPDCL for construction of substation and under a cover of panchanama, the said extent was handed over to APCPDCL. He has also produced before this Court certified copies of pahanies for the year 1994-1995 to 1998-1999 and 2003-2004, which support the submission. Alternatively, he submits that the land, which is now handed over to respondents 1 and 2 does not form part of the land, which is allegedly in possession of the petitioner. Though the

petitioner has produced copies of pahanies and Xerox copy of first three pages of pattadar passbook allegedly issued to petitioner's father. However, by going through these documents, this Court is not able to record any finding in support of the petitioner's contention that his father was allotted/assigned the land.

In view of the above, having regard to the submissions made by the learned Assistant Government Pleader, this writ petition is disposed of, directing the third respondent to conduct enquiry with regard to the allegation that the land was allotted to petitioner's father in 1978 by way of Laoni patta and he was in possession of the same. This enquiry may be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. In this writ petition, relief as prayed for cannot be granted. It shall be open to the petitioner to approach the MRO with a copy of this order.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

September 13, 2006.

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